

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
NICOLE ELLIOT, an individual, AMANDA  
PAIGE, an individual, and KATHRYN  
FRITSCHER, an individual, for themselves  
and on behalf of all others similarly situated,

Plaintiffs,

-against-

TRUSTED MEDIA BRANDS, INC., a  
Delaware Corporation,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
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22 Civ. 8740 (AT)

**ORDER**

The Court has reviewed the parties' submissions dated February 13, 2023. ECF Nos. 28–29. There are several issues with the parties' proposed case management plan. First, the parties must propose specific dates for each deadline in the case management plan. Second, a pending motion to dismiss is not an exceptional circumstance warranting a departure from the fourteen-day deadline for initial disclosures. ECF No. 29 ¶ 4. Third, the parties are reminded that the Court shall not stay discovery pending its decision on any motion, *id.* ¶ 5, and the Court has already denied Defendant's request to stay discovery, *see* ECF No. 27. The parties are directed to either revise their proposed deadline for discovery so that the discovery period does not exceed 120 days or describe exceptional circumstances (which do not include pending motions) that would make a longer discovery period appropriate in this matter. Fourth, the parties are required to identify a mechanism for alternative dispute resolution and propose a time for its use. Accordingly, by **February 17, 2023**, the parties shall submit a revised proposed case management plan.

SO ORDERED.

Dated: February 14, 2023  
New York, New York



ANALISA TORRES  
United States District Judge